

REMARKS

Claims 1-12 are pending in this application. Applicant appreciates the Office Action's indication that claim 3 contains allowable subject matter.

By this Amendment, claim 1 is amended to obviate an informality, as the Examiner requested. The title is amended, as the Examiner suggested. Fig. 2 is amended to show a sublayer (53) as originally described in the specification at, for example, paragraph [0042]. The specification is accordingly amended to provide a reference numeral 53 to the sublayer. No new matter is added.

Claims 13-21 are withdrawn due to the finality of the restriction requirement.

The Examiner is respectfully requested to consider the references listed in, and to return initialed a copy of, the form PTO 1449 filed with the June 29, 2005 Information Disclosure Statement. A copy of the form PTO 1449 is attached herein for the Examiner's convenience.

The Office Action objects to the title, the drawings and claim 1. The title, Fig. 2, the specification and claim 1 are amended, as discussed above. Accordingly, withdrawal of the objections to the title, the drawings and claim 1 is respectfully requested.

The Office Action rejects claims 1, 2, 4-6 and 8-12 under 35 U.S.C. §102(e) over U.S. Patent Publication No. 2003/0218422 to Park et al. ("Park"); and rejects claim 7 under 35 U.S.C. §103(a) over Park in view of U.S. Patent Publication No. 2002/0070663 to Ogura et al. ("Ogura"). These rejections are improper.

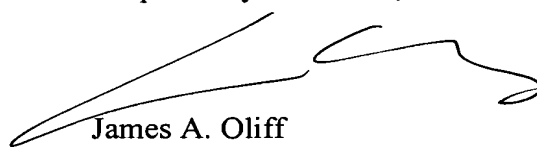
Park has a U.S. filing date of May 7, 2003, which is later than the August 29, 2002 priority date of the present application. A claim for priority was filed December 2, 2003. An English-language translation of the priority document JP A 2002-250774 is enclosed to perfect the claim for priority. The translation is an accurate translation of the priority document.

In view of the above, Park does not qualify as a prior art reference. Accordingly, withdrawal of the rejection of claims 1, 2 and 4-12 under 35 U.S.C. §102(e) or §103(a) is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:GL/kzb

Attachment:

English-language translation of JP A 2002-250774
Copy of June 29, 2005 form PTO 1449
Replacement Sheet

Date: September 9, 2005

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Amendments to the Drawings:

The attached replacement drawing sheet makes changes to Fig. 2 and replaces the original sheet with Fig. 2.

Attachment: Replacement Sheet